

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
59262/256238

MAR 06 2002

PATENT & TRADEMARK OFFICE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,891,143, granted April 6, 1999, and for which a reissue patent is sought on the invention entitled Orthopaedic Fixation Plate,

the specification of which

☐ is attached hereto.

☒ was filed on April 5, 2001 as reissue application number 09/827,252 and as amended in the preliminary amendment filed April 5, 2001 and in the Amendment and Response filed concurrently with this declaration.
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

The claims as issued in U.S. Patent No. 5,891,143 recite "holes" as the structures that are positioned on fixation plates, whereas the specification indicates that other attachment structures or mechanisms can be used and still fall within the scope of various embodiments of the invention. Thus, Applicants claimed less than they had a right to claim.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the Applicant.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

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All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

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Date

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